

Vicky Oldenburg (State Bar No. 4770)
 Oldenburg Law Office
 P.O. Box 17422
 Reno, NV 89511
 (775) 971-4245
 vicky@oldenburglawoffice.com

William Falk (Utah Bar No. 16678)
 2980 Russet Sky Trail
 Castle Rock, CO
 (319) 830-6086
 falkwilt@gmail.com

Terry J. Lodge (Ohio Bar No. 29271)
 316 N. Michigan St., Suite 520
 Toledo, OH 43604-5627
 (419) 205-7084
 tjlodge50@yahoo.com

Attorneys for Reno-Sparks Indian Colony

UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

BARTELL RANCH LLC, et al.,)	Case No.: 3:21-cv-80-MMD-CLB
)	(LEAD CASE)
Plaintiffs,)	
)	
v.)	DECLARATION OF
)	WILLIAM FALK IN SUPPORT
ESTER M. MCCULLOUGH, et al.,)	OF RSIC'S MOTION FOR
)	DISCOVERY SANCTIONS
Defendants,)	
and)	
)	
LITHIUM NEVADA CORPORATION,)	
)	
Intervenor-Defendant.)	

WESTERN WATERSHEDS PROJECT, et al.,)	Case No.: 3:21-cv-103-MMD-CLB
)	(CONSOLIDATED CASE)
Plaintiffs,)	
)	
RENO SPARKS INDIAN COLONY, et al.,)	
)	

Intervenor-Plaintiffs,
 and
 BURNS PAIUTE TRIBE,
 Intervenor-Plaintiff.
 v.
 UNITED STATES DEPARTMENT OF THE
 INTERIOR, et al.,
 Defendants,
 and
 LITHIUM NEVADA CORPORATION,
 Intervenor-Defendant.

I, William Falk, hereby declare under penalty of perjury, that:

1. I am co-counsel for Intervening Plaintiff Reno-Sparks Indian Colony (“RSIC”). I make this declaration in support of RSIC’s Motion for Discovery Sanctions.

2. On January 24, 2022, United States Department of Justice Attorney Leilani Doktor emailed all of the parties about the Bureau of Land Management’s (“BLM”) inability to produce the administrative record by January 26, 2022 as ordered by the Court on December 27, 2021. Due to this inability, BLM requested a two-week extension on BLM’s January 26 deadline to file the AR. Ms. Doktor also explained why BLM was unable to produce the administrative record by January 26.

3. Attached to RSIC’s Motion for Discovery Sanctions as Exhibit 2 is a true

1 and accurate copy of Ms. Doktor's January 24, 2022 email.

2 4. On March 28, 2022, Ms. Doktor responded to an email from RSIC co-
3 counsel Mr. Terry Lodge. Because so many documents post-dating the ROD had
4 been added to the AR, Mr. Lodge asked Ms. Doktor to supplement the new AR
5 with BLM's whole post-ROD decisional file. Ms. Doktor declined to do so and
6 explained that the post-decisional documents currently in the record were
7 inadvertently included.

8 5. Attached to RSIC's Motion for Discovery Sanctions as Exhibit 3 is a true
9 and accurate copy of Ms. Doktor's March 28, 2022 email.

10 6. After the parties reviewed the newly supplemented AR, an email chain was
11 started about missing documents and other problems with the AR. On February
12 22, 2022 and again on March 8, 2022, Western Watersheds Project's counsel
13 Ms. Talasi Brooks notified BLM of documents BLM withheld from the February 11
14 AR production and other problems with the AR. On February 23, 2022, Bartell's
15 counsel Mr. Dominic Carrollo did the same. Ms. Doktor responded on March 17,
16 2022 and on March 25, 2022.

17 7. Attached to RSIC's Motion for Discovery Sanctions as Exhibit 4 is a true
18 and accurate copy of the relevant portions of the email chain.

19
20 Executed on this 4th day of April, 2022.

21
22 /s/ William Falk (Utah Bar No. 16678)
23 Attorney for Reno-Sparks Indian Colony
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